



residences, including the residence at issue in this matter, who often have dual diagnoses with other conditions beyond Substance Abuse Disorder, including, but not limited to severe depression, such that they present recovery complications beyond those that most sober living residences are often willing to take on, (2) such residents will often encounter difficulties in the recovery process that will require particularly intensive interventions to prevent relapse, such that, for periods of time often exceeding twelve hours, neither those residents nor those working with them can attend to parking issues, and (3) the strict enforcement of parking policies by Harmony Haus against such an individual by terminating the membership of the individual in the sober living residence because of parking violations could have potentially fatal consequences and is not a reasonable response to the circumstances. Dr. Beare is anticipated to provide such testimony in support of Plaintiffs' defenses that Defendant's actions and omissions constitute an abuse of discretion and a breach of fiduciary duty and in response to Defendant's anticipated argument in support of its counterclaims that Plaintiff Harmony Haus has not undertaken appropriate enforcement activity on its own part by not terminating the membership of residents who appear to have committed parking violations.

Dated: October 30, 2020

Respectfully Submitted,

/s/ Mark Whitburn

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## **CERTIFICATE OF SERVICE**

I certify that on this 30th day of October, 2020, a true and correct copy of the foregoing document was sent via electronic filing service to counsel for Defendant as follows:

Eric Hansum  
Niemann & Heyer, LLP  
Westgate Building, Suite 313  
1122 Colorado Street  
Austin, Texas 78701

/s/Mark Whitburn  
Mark Whitburn

# **EXHIBIT A**

# ROBERT (BOB) BEARE, PH.D, LPC-S

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**Author, *The Creative Fire - 10 Weeks to Emotional and Creative Fitness* - On Amazon**

**Beare, R. K. (2016). *Senior Leader's experience with vulnerability: A multiple case study*. Doctoral dissertation.**

## SUMMARY

**Clinical Director/Advisor/Supervisor and Leadership and Organizational Development Consultant** acknowledged for delivery of effective clinical leadership and experiential training and development programs that increase productivity and wellness. Consistently develops and implements clinical programs and advanced leadership programs that turn conflict into opportunity, empower authentic expression, and inspire teams to work at the peak of creativity and productivity.

- Ph.D. Industrial/Organizational Psychology
- Masters in Clinical Psychology
- Licensed Professional Counselor Supervisor
- Engaging Facilitator and Presenter
- Experienced Leadership Trainer
- Innovative Program Designer
- Leadership experience in Health Care, Industrial, and Non-Profit Settings
- Recognized Authority on Creativity, Authentic Expression, and Depth Psychology
- Advanced Verbal and Written Communication Skills

## PROFESSIONAL EXPERIENCE

**THE CREATIVE LIFE INSTITUTE, Austin TX**

2009-Present

### Executive Director

Founded and operating healing center for addiction treatment and trauma resolution, and for training facilitators and addiction specialists

- Founded **The Brave Heart Experience** (Intensive workshop for men in recovery)
- Founded and delivered over 100 facilitator trainings

**SAGE RECOVERY AND WELLNESS CENTER, Austin, TX**

2017 - Present

### Clinical Director

Supervised 23 clinicians and 8 Intensive Outpatient programs

- Doubled census in 6 months
- Restructured intake and assessment procedures to maximize growth
- Developed extensive organizational development initiatives to deepen staff engagement

**MAUI RECOVERY CENTER, Kihei, HI**

2016 - 2017

### Senior Clinical Consultant

Established and directed clinical programming and staff for upscale substance abuse treatment facility

- Grew program to bed capacity in 3 months
- Developed curriculum, staff, and delivered monthly week-long intensive transformational program for staff and clients

**THE LAST RESORT TREATMENT CENTER, Austin, TX**

2014-Present

### **Clinical Director and Senior Clinical Consultant**

Directed clinical program and staff for 90 day men's intensive substance abuse program.

- Developed innovative clinical and family programming, supervised clinical staff and utilization management
- **Developed and delivered The Brave Heart Experience** (Intensive 3-day workshop, Monthly, 20 staff)

### **AUTHENTIC LEADERSHIP PROGRAMS, Austin and Houston, TX 2003-Present** **Consultant**

Designed and implemented advanced Emotional Intelligence and Authentic Leadership trainings for mid-large size corporate leadership teams.

- Facilitated several corporations to over 15% repeated annual growth through intensive leadership development programming
- Rolled out a development program that contributed to a two year 40% revenue growth

### **EXECUTIVE COACH AND PSYCHOTHERAPIST, Austin and Houston, TX 1995-Present** **Owner**

Private practice, providing evidence-based psychodynamic psychotherapy and executive coaching.

- Helped hundreds of individuals, families, couples, and leaders find meaning and empowerment
- Recognized authority on group dynamics, innovation, relationships, recovery, and men's issues

### **AUSTIN TRAVIS COUNTY INTEGRAL CARE, Austin, TX 2009-2014** **Program Coordinator and Group Facilitator**

Directing the largest co-occurring psychiatric disorders group program for ATCIC.

- Facilitated monthly action method (psychodrama) event for 50+ patients with psychosis (unique with this population, and an extremely popular and successful intervention)
- Provided action methods training for licensed staff and supervision of peer facilitators
- Expanded group programs by 400% in 2 years through dynamic programming and marketing

### **THE CREATIVE LIFE CENTER, Houston TX 2005-2008** **Executive Director**

Founded and operated the only regional wellness center with a creativity focus.

- Provided over 500 creativity and healing programs annually
- Directed 501c3 process, business plan, grant writing, and attainment of financial goals
- Directed staff and practitioners to consistent annual growth of programming and income

### **THE MANKIND PROJECT INTERNATIONAL (MKPI) 1993-2008** **Certified Full Leader/Board of Directors**

Provided many years of focused leadership in this men's empowerment organization.

- Led 150+ leadership trainings in the US, Canada, France, England, and Germany
- Attained the Houston center's highest enrollment, making it the most successful center in the international MKPI network (40,000 members)

### **C.G. JUNG EDUCATIONAL CENTER, Houston TX 1994-2006** **Lecturer/Instructor/Multiple Committee Member**

Instructor and expert on men's issues and theatre as an applied expressive arts technique.

- Facilitated over 250 classes and workshops on creativity and transformation

### **DAPA (Drug Abuse Programs of America), Houston TX 1997-2002** **Program Director**

Directed the most successful dual diagnosis Partial Hospital (PHP) in Houston.

- Supervised staff and billings for the largest PHP in Houston
- As Medicare Appeals Officer, recouped over \$200,000 in denied billings

**HOUSTON PLAYBACK THEATER/BUSINESS STAGES, Houston, TX 1994-2004**

**Founder/Director**

Founded, trained, and managed improvisational theatre troupe for companies and groups.

- Provided transformational performances for over 40 organizations
- Directed over 300 improv performances for communities, corporations, and groups
- Implemented theatre programs for annual meetings and other corporate events

**PROFESSIONAL ACTOR, SINGER, DIRECTOR, COMPOSER** 1985-Present

- 25 years in Professional Theater. Over 200 Productions, 1,500 performances
- Recent Austin: *Ragtime* at Zach Scott Theatre, Emile DeBeque in *South Pacific* at Georgetown Palace and 2012 **Best Director B. Iden Payne** nomination
- Composer/Lyricist of *The Three-Cornered Hat* (Acclaimed Romantic Musical Comedy)

**EDUCATION, LICENSES & CERTIFICATIONS**

Ph.D., Industrial/Organizational Psychology

MA, Clinical Psychology

BA, Music Composition

Graduate Playback Theatre School – New York

Licensed Professional Counselor Supervisor (LPC) – TX

Certified Birkman Method® Assessment Consultant

4000+ hrs Expressive Arts Training (Psychodrama, Art Therapy, Forum Theatre)

**PUBLICATIONS**

Author, *The Creative Fire - 10 Weeks to Emotional and Creative Fitness* - On Amazon

Beare, R. K. (2016). *Senior Leader's experience with Vulnerability: A Multiple Case Study*.  
Doctoral Dissertation.

**RECENT PRESENTATIONS**

The Creative Fire: Creative Expression in Residential Treatment – Presentation at the Texas  
Association of Addiction Professionals Conference, San Antonio, TX  
August, 201

Creativity as Healing – Presentation to Texas Nursing Association, Austin TX  
June 2015

Men's Depth Work in Residential Treatment – Presentation at the Texas Association of  
Addiction Professionals Conference, San Antonio, TX August, 2016

Vulnerability as a Leadership Strength – Presentation to Austin Spiritual Network, Austin TX,  
November, 2016

Vulnerability as a Leadership Strength – Presentation to Leadership Council, Austin TX,  
November, 2016

**Action Methods and Men's Work – Presentation at the ASGPP (Psychodrama) Conference,  
Dallas TX,  
April 2018**